

DEVELOPMENT STANDARDS



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Chapter

3

Regulatory Framework

Village Review Zone (V-R)

All properties within the Carlsbad Village Area are zoned **V-R Village Review Zone** (per Chapter 21.35 of the City of Carlsbad Zoning Ordinance). The boundaries of the Village Area are shown on Figure 5. All development within the Village Area is regulated by the Village Master Plan and Design Manual. This document also implements the General Plan. Fundamental Land Use and development standards for the Village Area which are hereby established by this Village Master Plan and Design Manual upon approval of the Housing and Redevelopment Commission and City Council.

For development standards and other regulations which are ***not*** specifically identified within this Village Master Plan and Design Manual, the appropriate reference document shall be the current Carlsbad Municipal Code.

Village Area Development

All development within the Village Area is regulated by the Carlsbad Village Area Master Plan and Design Manual, which is the fundamental land use plan for the area.

Uniform Building Code

The Uniform Building Code shall be the appropriate reference document for identifying the appropriate building standards for all buildings to be constructed, renovated or rehabilitated within the Village Area. Applicants should consult with the city's Building Department to identify the sections of the building codes which shall be applicable to any project within the Village Area. See Title 18 of the Carlsbad Municipal code for Building Codes and Regulations.

Local Coastal Plan

Non-exempt development on properties located within the Coastal Zone requires a Coastal Development Permit issued by the Planning Commission or City of Carlsbad (depending on whether the project is located within the Coastal Zone, but not in the Village Area, or within both the Village Area and the Coastal Zone. The boundaries of the coastal zone within the Village Area are shown on Figure 5). The Village Master Plan and Design Manual, together with implementing ordinances and policies, constitutes the Local Coastal Program Plan for the Village segment of the Carlsbad Coastal Zone. This document shall establish the standards for all development within the Village Area of the Coastal Zone.

Policies and Procedures Manual

From time to time, the Carlsbad City Council may also establish policies and procedures which must be adhered to for development and/or other activities within the Village Area. When these policies and

procedures impact any development and/or activities located on properties within the Coastal Zone, the policies and procedures must be approved by the Coastal Commission or its executive director prior to becoming effective within the Village segment Coastal Zone.

Development Standards

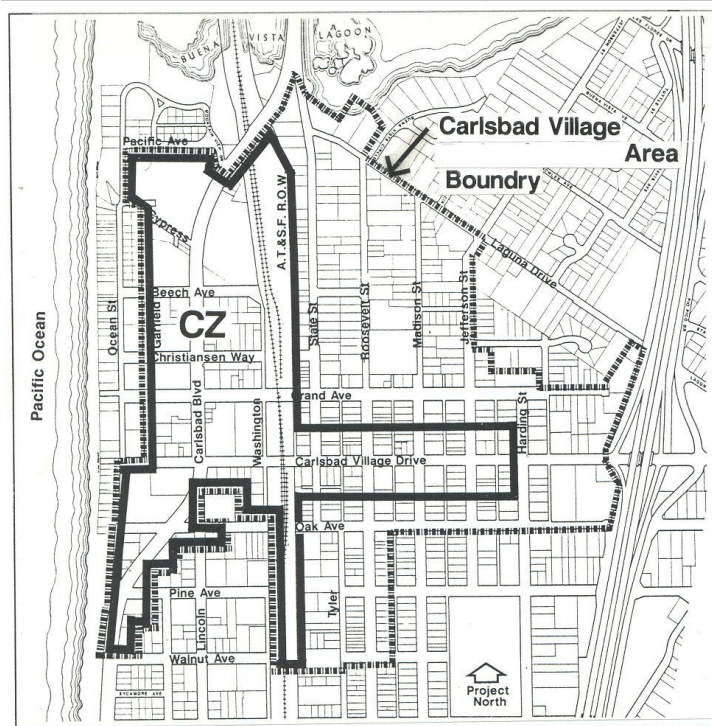
This Development Standards section is divided into two (2) parts. The first part outlines “Universal Standards” which are applicable to all projects within the Village Area, regardless of district location. The second part outlines the “Individual Standards” for each Land Use District; these standards will differ from district to district and will be applied according to the location of the proposed development and/or activity.

VariANCES

Variations to development standards set forth within the Village Master Plan and Design Manual document shall be processed according to regulations established within Section 21.35.130 of the Carlsbad Municipal Code.

Non-Conforming Uses

The provisions set forth for non-conforming uses within the Village Master Plan and Design Manual document shall supersede regulations set forth within the Carlsbad Municipal Code. See Chapter 2 of this document for information related to regulations for non-conforming uses in the Village Area. Chapter 2 provides regulations regarding 1) the continued operation of a non-conforming use; and 2) the conditions upon which a property owner can return to an “**original use**” of the property, even if it determined to be non-conforming under the Land Use Plan set forth within this Master Plan.



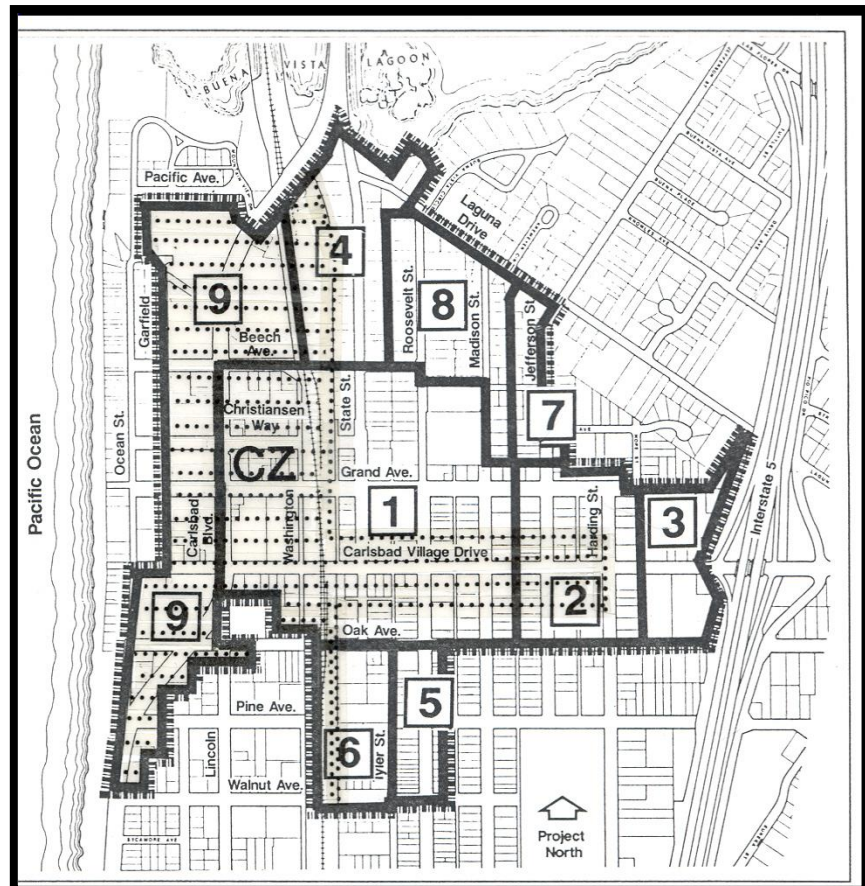
Code Enforcement

For the purposes of code enforcement as related to the regulations set forth by this Village Master Plan and Design Manual, Title 21 of the Carlsbad Municipal Code shall serve as the applicable regulations in terms of procedures and due process.

Figure 5 (part 1): Village Area Boundaries and Coastal Zone Boundaries.

Figure 5 provides two maps which indicate the Coastal Zone boundaries for the Village Area. The shaded area indicates the Coastal Zone. All non-exempt development on properties within the Coastal Zone will require approval of a Coastal Development Permit.

Figure 5 (part 2): Village Area Boundaries, Land Use District Boundaries and Coastal Zone Boundaries (shaded area).



Universal Standards

These standards are applicable to all development in the Village Area.

Development Standard Modifications

Modifications to the development standards may be permitted by the City Council in all land use districts of the Village Area for developments where the applicant can provide acceptable evidence that a requested development standard modification is 1) necessary to provide housing affordable to low and/or moderate income households, and/or 2) necessary in order for the development to qualify for silver level or higher LEED (Leadership in Energy & Environmental Design) Certification, or a comparable green building rating, and to maintain the financial feasibility of the development with such certification. Development standard modifications may also be permitted by the City Council if 1) the applicant can provide acceptable evidence that application of the development standards will preclude the construction of a residential development at densities at or above the minimum set forth for the applicable land use district, or 2) for projects that have a significant public benefit as determined by the City Council or that assist the Council in meeting the goals and objectives set forth within the Village Master Plan and Design Manual.

Through Village Review permit approvals, modifications may include, but are not limited to:

1. Density
2. Parking standards
3. Building setbacks
4. Height
5. Open space

General Plan

All Village development projects must be consistent with all General Plan policies, goals, and action programs.

Residential Density

The properties within the Village Area do not have a residential density assigned to them for Growth Management Program compliance purposes. Therefore, the minimum and maximum densities for development that includes residential within the Village Area are set forth herein. For Land Use Districts 1-4 of the Village Area, the maximum density permitted for a development that includes residential shall be 35 dwelling units per acre. For Land Use Districts 5-9, the maximum density for a development that includes residential shall be 23 dwelling units per acre. The minimum density for all land use districts with development that includes residential in the Village Area shall be 15 dwelling units per acre.

A density bonus may be granted in accordance with Chapter 21.86 of the Carlsbad Municipal Code to exceed the maximum density noted above. A density increase may also be granted, on a case-by-case basis, for the purposes of providing affordable housing for low and/or moderate income households and/or when an applicant can provide acceptable evidence to the City Council that the density increase is necessary in order for the development to qualify for silver level or higher LEED Certification, or a

comparable green building rating, and assist in maintaining the financial feasibility of the development and/or when the City Council determines that a project has significant public benefit or assists in meeting the goals and objectives set forth within the Village Master Plan.

To approve a density above the maximum set forth herein, the following findings must be made by the City Council:

1. That the project will provide sufficient additional public facilities for the density in excess of the maximum permitted to ensure that the adequacy of the City's public facilities plans will not be adversely impacted.
2. That there have been sufficient developments approved in the quadrant below their maximum densities so the approval will not result in exceeding the quadrant limit.
3. That all necessary public facilities will be constructed, or are guaranteed to be constructed, concurrently with the need for them created by this development and in compliance with the adopted city standards.

The minimum residential density for the Village shall be 15 dwelling units per acre. Pursuant to California Government Code Section 65863, the city utilized 23 dwelling units to an acre in the Village for purposes of determining the adequacy of sites to provide for affordable housing in its 2005-2010 Housing Element. As a result, to approve a development that includes residential density below 23 dwelling units per acre, the following findings must be made by the City Council:

1. The reduction is consistent with the adopted General Plan, including the Housing Element.
2. The remaining sites identified in the housing element are adequate to accommodate the city's share of the regional housing need pursuant to Government Code Section 65584.

In future Housing Elements, the density may be revised as appropriate and this section of the Village Master Plan and Design Manual shall be revised by reference accordingly. In no case shall the residential density be below the minimum of 15 dwelling units per acre.

Pursuant to City Council Policy No. 43, all housing located in the Village Area qualifies for, and requires, an allocation of excess units from the Proposition E "Excess Dwelling" Unit Bank.

Planned Development

Residential units proposed for separate ownership shall comply with the development standards and design criteria set forth within this Master Plan, and within Carlsbad Municipal Code, Title 20 and the State Subdivision Map Act. A Tentative Tract Map application shall be filed together with the appropriate Village Special Review Permit. The Planning Commission shall make a recommendation to the City Council, and the Council shall be the final decision-making authority on an application for a Tentative Tract and/or Final Map for a development within the boundaries of the Village Area.

All residential units or mixed use projects which are intended to have residential units which are sold for separate ownership will be subject to the following additional requirements:

1. The storage of large recreational vehicles, such as motor homes, travel trailers, or boats will not be allowed within the residential or mixed use project. These vehicles must be stored off-site and

off-street at all times. The storage of small recreational vehicles, such as canoes or a jet ski, may be permitted on site if the vehicles are stored within an area which is screened from adjacent residences and public rights-of-way by either a view-obscuring wall or landscaping.

2. Parking garages shall be designed such that they are visually subordinate to the residential structure or mixed used project. Whenever possible, entrances to individual garages or parking stalls shall be located off a rear alley or within an enclosed parking structure.

Rail Corridor Development

All future development adjacent to or near North County Transit District's Right-of-Way shall be planned with consideration given to the safety of the rail corridor. This consideration will be given at the project-specific level and a determination will be made at that time as to whether or not any additional safety measures are required as a result of the proposed development.

Inclusionary Housing Requirements

All residential projects including the conversion of apartments to airspace condominiums are subject to the City's Inclusionary Housing Ordinance, Chapter 21.85 of the Carlsbad Municipal Code. Per City Ordinance, 15% of the total housing units constructed must be affordable to low income households. Projects consisting of six or fewer market rate units may pay an in-lieu fee rather than constructing a unit.

Parking

New development and additions to existing buildings within the Village Area will be required to provide parking per the standards contained within Chapter 5 of this Village Master Plan and Design Manual.

Changes of use within an existing structure or building may require additional parking if the new use creates a parking demand greater than the structure or building's previous use or existing on-site parking spaces.

The Parking In-Lieu Fee Program described in Chapter 6 may be available as an option for property owners/tenants who are unable to meet their on-site parking requirements. Requests for variances from the on-site parking requirements shall be processed as set forth in Chapter 6 of this document.

Building Coverage, Building Height and Building Setbacks

The standards for building coverage, height and setbacks are established individually according to the applicable land use district within the Village Area. See the appropriate development standards section for the applicable land use district to identify the standards which apply to projects within the area.

Where a range is established for the subject standard, the individual project standard may be set anywhere within the range based on findings that the project design or site constraints justify the standard and subject to the findings/criteria outlined below for each type of standard noted.

Building Coverage

In all cases where a range has been established as the appropriate building coverage standard within a given district, the bottom of the range shall be considered the desired standard. However, an increase in

the standard to the maximum, or anywhere within the range, may be allowed if the project warrants such an increase due to good project design and/or the provision of other projects features which benefit the Village Area. The benefits realized from the increased standards shall be set forth with the approving resolution for said project.

For approval of a building coverage standard which is above the maximum for the subject land use district, a standards modification or variance must be approved by the authorized approving body/official. Standards modifications shall be granted as set forth within this Village Master Plan and Design Manual. Variances shall be granted according to the regulations set forth in Section 21.35.130 of the Carlsbad Municipal Code.

A variance for a building coverage standard which exceeds the top of the range, or the individual standard set forth, will be granted only if the project meets one or more of the following criteria:

1. The project is a mixed-use project which provides for residential living units located in close proximity (reasonable walking distance) to the Village Commuter Rail Station.
2. The project is a hotel facility whose scale, design and auxiliary facilities are judged to be appropriate to the Village.
3. The project is a residential project providing a quality living environment and where increased density would not negatively impact adjacent residential development.
4. The project provides for exceptional public amenities in terms of site design or facilities.

Building Height

The height standard for a building, or buildings, within the Village Area, is noted as a maximum within the individual land use district development standards. The height of a proposed building may not exceed the standard set forth for the given land use district, but it may be set lower if deemed desirable for the project. As a note, additional building height is permitted for all projects in all land use districts for architectural features which are designed as part of the project. For information on architectural features which are exempt from the height limit calculation, see Section 21.46.20 of the Carlsbad Municipal Code.

To exceed the maximum height standard set forth within the development standards for a given land use district, a variance or standards modification must be granted by the appropriate approving body/official for the project.

A variance or modification for a height standard which exceeds the standard set forth for a given land use may be granted only if the project meets one or more of the following criteria:

1. The increased height will be visually compatible with surrounding buildings.
2. The increased height will not unduly impact nearby residential uses.
3. The taller project will not adversely impact views.
4. The project will maintain a scale and character compatible with the Village and the guidelines contained within this Village Master Plan and Design Manual.

5. The project provides for exceptional design quality and is consistent with the goals and objectives of the Village Area.

Building Setbacks

In all cases where a range has been established as the appropriate setback standard within a given district, the top of the range shall be considered the desired standard. However, a reduction in the standard to the minimum, or anywhere within the range, may be allowed if the project warrants such reduction due to good project design and/or the provision of other projects features which benefit the Village Area. The benefits realized from the reduced standards shall be set forth with the approving resolution for said project.

For approval of a setback standard which is below the minimum for the subject land use district, a variance or standards modification must be approved by the authorized approving body/official. Variances shall be granted according to the regulations set forth in Section 21.35.130 of the Carlsbad Municipal Code. Standards modifications shall be approved as set forth within this Village Master Plan and Design Manual.

Consistency Determination

In the Village, design of buildings is very important and there is an expectation that the design shall be consistently implemented through all project construction. In other words, there is an expectation that upon completion of the new construction the project will be substantially consistent with the design approved by the appropriate decision-making authority. The following criteria is set forth and must be met in order for the Housing & Neighborhood Services Director to approve a consistency determination and ensure that the project design is consistently implemented.

The Housing & Neighborhood Services Director may, at an administrative level, make a consistency determination if all of the following criteria are met:

1. The modified project design is comparable in character, scale, architectural detail and/or other design features to the original project design, or represents an upgrade in overall design features and/or materials as originally approved. The modifications must not be readily discernible to the decision makers as being substantially different from the project as originally approved. The original architectural detail or the design features may be enhanced as long as the character, scale, or theme of the design remains consistent with the original approval.
2. No project condition, feature, facility or amenity is changed or deleted that had been considered essential to the project's design, quality, safety or function by the Housing & Neighborhood Services Director, Planning Commission and/or City Council.
3. The modified project complies with all applicable development standards, or does not exceed the variances in standards as originally approved by the final decision maker.
4. The modified project does not increase the density or intensity of the development. A decrease in the density or intensity of development can be considered an acceptable change for consistency determination purposes, at the discretion of the Housing & Neighborhood Services Director.
5. The proposed modification does not involve the addition of a new land use which was not shown on the original permit.

6. The proposed change will not result in any significant environmental impact, and/or require any additional mitigation.
7. The proposed change will not result in any health, safety or welfare impacts.
8. There were not any major issues or controversies associated with the original project which would be exacerbated with the proposed project modification.

Consistency Determination Application Process

To request a consistency determination, the applicant shall submit an application and amended exhibits, graphics, statements or other information as may be required to explain and justify the request to the Housing & Neighborhood Services Director. The Housing & Neighborhood Services Director will determine the number of copies of the application and exhibits to be submitted for processing.

If the consistency determination can be made by the Housing & Neighborhood Services Director, the applicant shall receive a letter approving the design modifications, and providing authorization to proceed.

If the Housing & Neighborhood Services Director is unable to make the consistency determination, the applicant shall receive a letter denying the request and providing instructions as to how to proceed with an amendment of a minor or major redevelopment and/or special review permit to allow for the design modifications.

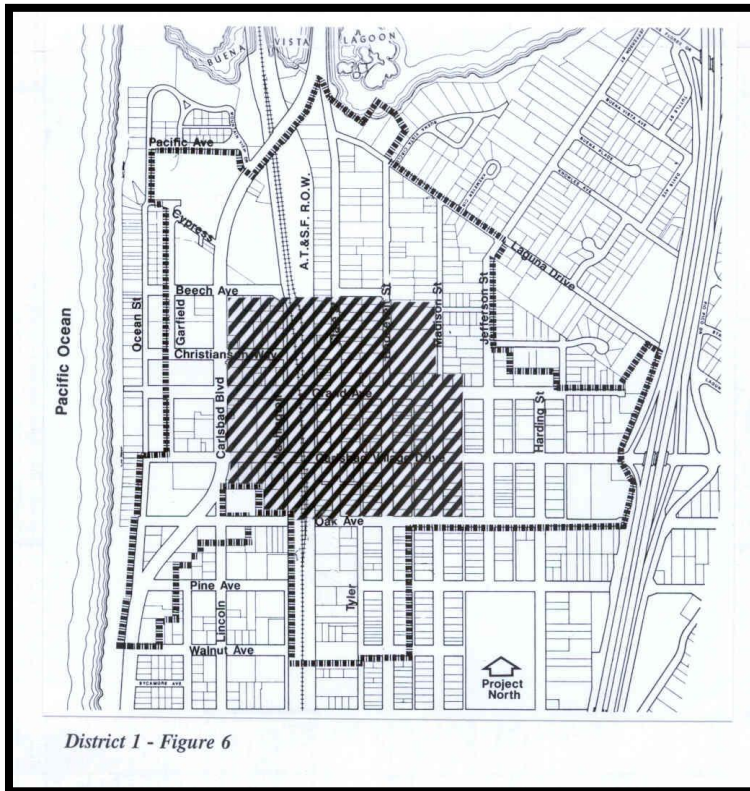
If the original permit was a Major Redevelopment and/or Special Review Permit and the applicant is proposing a design change only and there are no other changes in land use, intensity of development, etc. the applicant shall submit an application for a Major Redevelopment and/or Special Review Permit amendment with the appropriate exhibits. The application and exhibits together with a staff report and recommendation will be forwarded directly to the City Council for a public hearing and final action. A recommendation will not be required from the Planning Commission. All applicable fees shall be paid and the appropriate public hearing notices shall be provided for the permit amendment.

If the original permit was a Major Redevelopment and/or Special Review Permit and the applicant is proposing a design change which results in changes in land use, increased density or increased intensity of development, etc., the applicant shall submit an application for a permit amendment with the appropriate exhibits. The application and exhibits together with a staff report and recommendation will be forwarded to the Planning Commission for a recommendation and then forwarded to the City Council for final action. All appropriate public hearing notices shall be provided for the permit amendment.

If the original permit was a Minor Redevelopment and/or Special Review Permit, design changes as well as other land use, intensity of development shall be submitted to the Planning Commission for consideration. The applicant shall submit an application for a permit amendment with the appropriate exhibits. The application and exhibits together with a staff report and recommendation will be forwarded to the Planning Commission for final action. All applicable fees shall be paid and the appropriate public hearing notices shall be provided for the permit amendment. The Planning Commission decision is appealable to the City Council.

If the subject property is located within the Coastal Zone, the Coastal Commission shall be appropriately notified of all decisions regarding consistency determinations and/or amendments to Minor or Major Redevelopment and/or Special Review Permits.

Land Use District 1 – Carlsbad Village Center



The boundaries for District 1 are shown on the map provided in Figure 6. This district has traditionally been the Central Business District of Carlsbad. Although shopping centers and other development outside of the Village have drawn some uses away from the area, the District 1 Village Center continues to function as a strong retailing and financial services core serving city residents as well as tourists and regional visitors. The intent of land use standards for this district is to reinforce the pedestrian shopping environment, encourage mutually supportive uses and provide a major activity focus for Carlsbad Village and the city as a whole. Retail shopping continuity, local serving commercial shops, stores and restaurants as well as facilities and services for travelers in the coastal zone are emphasized.

Following are the individual development standards which have been set forth for all projects to be developed within District 1 of the Village Area. Please see the “Universal Standards” section of this Chapter for information on variances and standards modifications, and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

Building Setbacks:

- Front: For non-residential and mixed use development, there shall be no minimum or maximum setback for first at grade floor. A 10 foot average setback shall be required for all floors above the first at grade floor. For residential only projects, there shall be a 10 foot average setback for all floors, including the ground floor.
- Side: No minimum or maximum setback requirement.
- Rear: No minimum or maximum setback requirement.
- Exception: At grade parking lots must be set back a minimum of five feet from any property line for landscaping purposes.

Open Space:

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad's Landscape Manual. Open space may be public or private and may be dedicated to landscaped planters, open space pockets and/or connections, roof gardens/patios, balconies, other patios and outdoor eating areas. No parking spaces or aisles are permitted in the open space.

Building Coverage:

All Projects: 100%

Building Height:

45' maximum.

Roof Pitch:

50% of the total roof structure (per property) must have a 5:12 roof pitch.

Property Line Walls/Fences:

All property line walls/fences (including combination retaining wall and fences) shall be limited to a maximum of six (6) feet unless a taller wall or fence is approved by the appropriate decision making body. To exceed the wall height of six (6) feet, the decision making body must make the following findings:

1. That the purpose for the additional wall height is to enhance adjacent neighbor privacy and/or to provide for noise attenuation;
2. That the additional wall height is requested by the adjacent neighbor and/or determined by the decision making body to be in the best interest of the adjacent neighbor;
3. That the wall or fence is attractively designed and/or decorated.
4. Decorative wall features may extend no more than six (6) inches above the maximum height of the wall. Wall height shall be measured from the lowest side of the finished grade to the top of the wall.

Parking Requirements:

See Chapter 6 of the Village Master Plan and Design Manual for list of parking requirements by land use.

District is located within Zone 1 of the In-lieu Fee Parking Program which means that properties east of the AT&SFT Railroad right-of-way within the district may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The In-lieu Fee Parking Program shall only be permitted in the remaining area west of the railroad right-of-way when it can be demonstrated to the satisfaction of the California Coastal Commission that 1) a bonafide fee has been established to implement such a program; 2) specific sites have been identified where parking facilities will be constructed; and 3) detailed criteria and procedures have been established for the annual assessment of parking utilization subject to the completion of a parking study or other technical information.

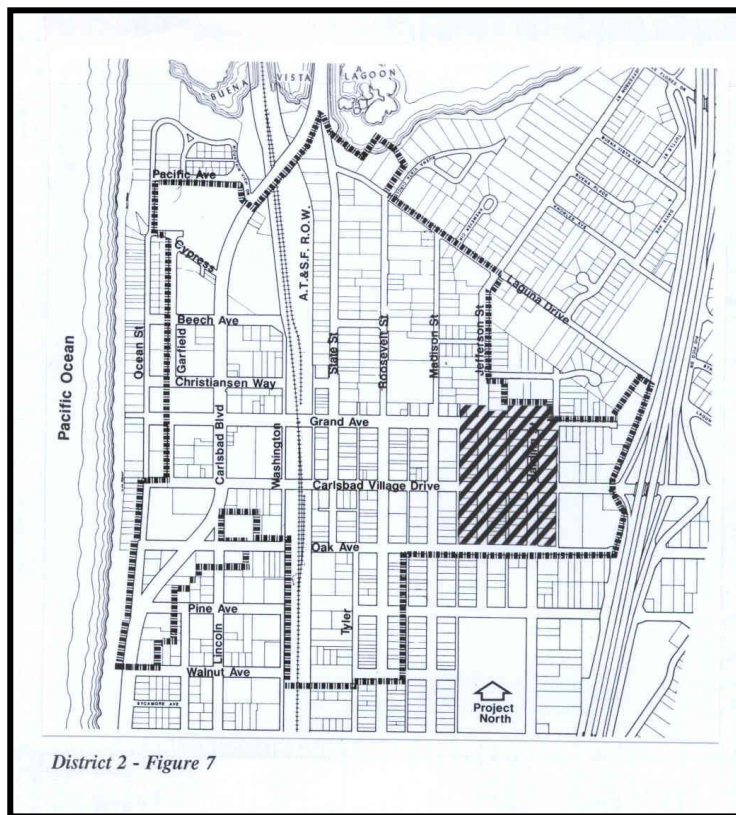
The details of the In-lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

Other Miscellaneous Requirements:

Temporary building structures and storage containers shall be prohibited, unless used in conjunction with new construction and/or rehabilitation of a building and/or other infrastructure within the Village Area and approved in writing by the Housing & Neighborhood Services Director in advance of use. If a temporary structure is permitted, for storage or other purposes, in conjunction with an approved development project, it will be allowed only until the new development receives approval for occupancy.

Land Use District 2 – Office Support Area

The boundaries of District 2 are shown on the map provided in Figure 7. District 2 contains a mixture of



commercial uses and is strongly pedestrian-oriented as a continuation of the Village Center (District 1) in terms of building scale and character. Existing residential uses will be phased out of the district over time. Buildings will be set back from the sidewalk in a landscaped lawn setting and any on-site parking will be located adjacent to alleys and away from street frontages.

Following are the individual development standards which have been set forth for all projects to be developed within District 2 of the Village Area. Please see the “Universal Standards” section of this Chapter for information on variances and standards modifications and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

Setbacks:

- Front: For non-residential and mixed-use development there shall be no minimum or maximum setback for first at grade floor. A 10 foot average setback shall be required for all floors above the first at grade floor. For residential only projects, there shall be a 10 foot average setback for all floors, including the ground floor.
- Side: No minimum or maximum.
- Rear: No minimum or maximum.
- Exception: At grade parking lots must be set back a minimum of five feet from any property line for landscaping purposes.

Open Space:

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad’s Landscape Manual. Open space may be public or private and may be dedicated to landscaped planters, open space pockets and/or

connections, roof gardens/patios, balconies, other patios, and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

Building Coverage:

All projects: 100%

Building Height:

45' maximum.

Roof Pitch:

50% of the total roof structure (per property) must have a 5:12 roof pitch.

Property Line Walls/Fences:

All property line walls/fences (including combination retaining wall and fences) shall be limited to a maximum of six (6) feet unless a taller wall or fence is approved by the appropriate decision making body. To exceed the wall height of six (6) feet, the decision making body must make the following findings:

1. That the purpose for the additional wall height is to enhance adjacent neighbor privacy and/or to provide for noise attenuation;
2. That the additional wall height is requested by the adjacent neighbor and/or determined by the decision making body to be in the best interest of the adjacent neighbor;
3. That the wall or fence is attractively designed and/or decorated.
4. Decorative wall features may extend no more than six (6) inches above the maximum height of the wall. Wall height shall be measured from the lowest side of the finished grade to the top of the wall.

Parking Requirements:

See Chapter 6 of the Village Master Plan and Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

Other Miscellaneous Requirements:

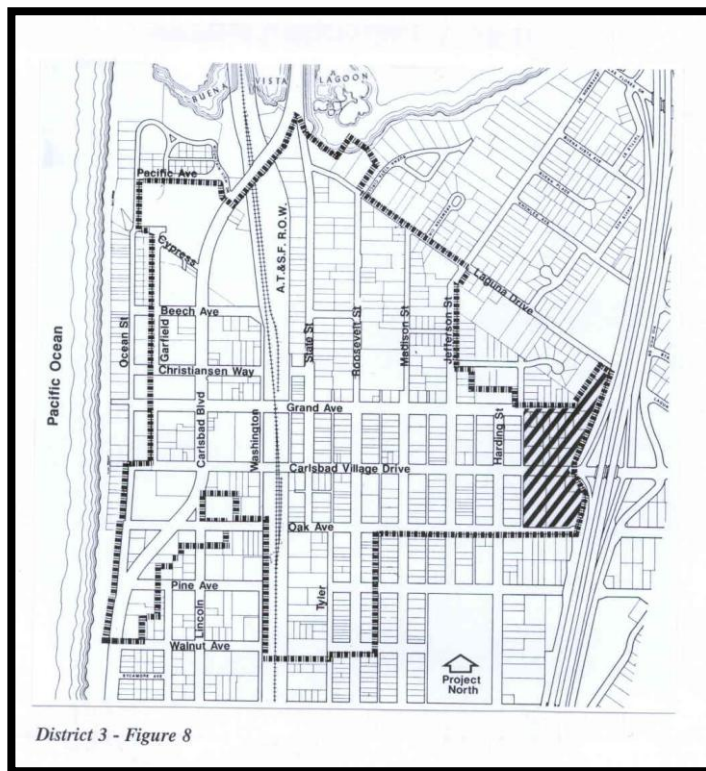
No outdoor storage is permitted within this District. Display of products outdoors must be consistent with standards set forth within this Design Manual or policies established by the City Council.

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

Any lot proposed for non-residential development which adjoins an existing residential lot shall have a solid masonry wall installed along common lot lines. Also any non-residential development constructed on Oak Avenue shall be designed in a manner which respects the area's residential character.

Temporary building structures and storage containers shall be prohibited, unless used in conjunction with new construction and/or rehabilitation of a building and/or other infrastructure within the Village Area and approved in writing by the Housing & Neighborhood Services Director in advance of use. If a temporary structure is permitted, for storage or other purposes, in conjunction with an approved development project, it will be allowed only until the new development receives approval for occupancy.

Land Use District 3 – Freeway Commercial Support Area



District 3 - Figure 8

The boundaries for District 3 are shown on the map provided in Figure 8. District 3 comprises the easterly entry to Carlsbad Village from Interstate Highway 5. The district is, and will continue to be, the location of traveler services normally associated with urban freeway interchanges. In addition, land uses will include other convenience services to meet the needs of the broader Carlsbad community.

Following are the individual development standards which have been set forth for all projects to be developed within District 3 of the Village Area. Please see the “Universal Standards” section of this Chapter for information on variances and standards modifications, and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

Building Setbacks:

- Front:** For non-residential and mixed-use development, there shall be no minimum or maximum setback for first at grade floor. A 10 foot average setback shall be required for all floors above the first at grade floor. For residential only projects, there shall be a 10 foot average setback for all floors, including the ground floor.
- Side:** No minimum or maximum.
- Rear:** No minimum or maximum.
- Exception:** At grade parking lots must be set back a minimum of five feet from any property line for landscaping purposes.

Open Space:

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad's Landscape Manual. Open space may be public or private and may be dedicated to landscaped planters, open space pockets and/or connections, roof gardens/patios, balconies, other patios, and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

Building Coverage:

All projects: 100%

Building Height:

45' maximum.

Roof Pitch:

50% of the total roof structure (per property) must have a 5:12 roof pitch.

Property Line Walls/Fences:

All property line walls/fences (including combination retaining wall and fences) shall be limited to a maximum of six (6) feet unless a taller wall or fence is approved by the appropriate decision making body. To exceed the wall height of six (6) feet, the decision making body must make the following findings:

1. That the purpose for the additional wall height is to enhance adjacent neighbor privacy and/or to provide for noise attenuation;
2. That the additional wall height is requested by the adjacent neighbor and/or determined by the decision making body to be in the best interest of the adjacent neighbor;
3. That the wall or fence is attractively designed and/or decorated.
4. Decorative wall features may extend no more than six (6) inches above the maximum height of the wall. Wall height shall be measured from the lowest side of the finished grade to the top of the wall.

Parking Requirements:

See Chapter 6 of the Village Master Plan and Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

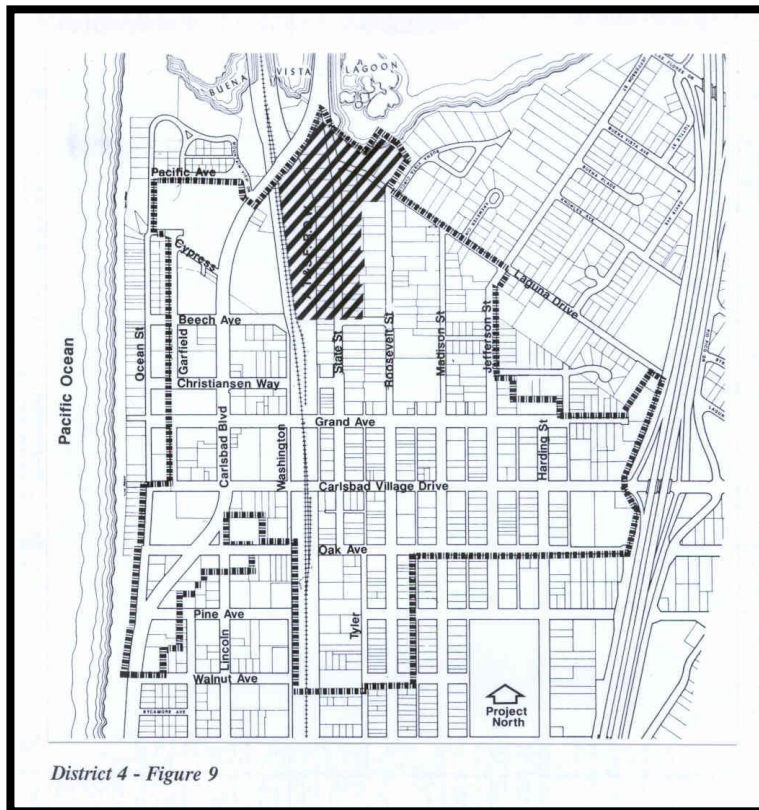
Other Miscellaneous Requirements:

No outdoor storage is permitted within this District. Display of products outdoors must be consistent with standards set forth within this Design Manual or policies established by the Housing and Redevelopment Commission.

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

Temporary building structures and storage containers shall be prohibited, unless use in conjunction with new construction and/or rehabilitation of a building and/or other infrastructure within the Village Area and approved in writing by the Housing & Neighborhood Services Director in advance of use. If a temporary structure is permitted, for storage or other purposes, in conjunction with an approved development project, it will be allowed only until the new development receives approval for occupancy.

Land Use District 4 – Residential Support Area



The boundaries for District 4 are shown on the map provided in Figure 9. District 4 has in the past been a commercial service and light industrial area featuring automotive repair, building services and other uses characterized by low levels of investment in buildings, large exterior service and storage areas and a significant amount of visual deterioration. The intent of current land use policy is to provide for a gradual transition in this district to a mix of higher quality commercial and residential uses which will provide positive support for the District 1 Village Center and reinforce the Village area north of Beech Street as a quality residential neighborhood.

Following are the individual development standards which have been set forth for all projects to be

developed within District 4 of the Village Area. Please see the “Universal Standards” section of this Chapter for information on variances and standards modifications, and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

Building Setbacks:

- Front: For non-residential and mixed-use development, there shall be no minimum or maximum setback for first at grade floor. A 10 foot average setback shall be required for all floors above the first at grade floor. For residential only projects, there shall be a 10 foot average setback for all floors, including the ground floor.
- Side: No minimum or maximum.
- Rear: No minimum or maximum.
- Exception: At grade parking lots must be set back a minimum of five feet from any property line for landscaping purposes.

Open Space:

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad's Landscape Manual. Open space may be public or private and may be dedicated to landscaped planters, open space pockets and/or connections, roof gardens/patios, balconies, other patios, and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

Building Coverage:

All projects: 100%

Building Height:

45' maximum.

Roof Pitch:

50% of the total roof structure (per property) must have a 5:12 roof pitch.

Property Line Walls/Fences:

All property line walls/fences (including combination retaining wall and fences) shall be limited to a maximum of six (6) feet unless a taller wall or fence is approved by the appropriate decision making body. To exceed the wall height of six (6) feet, the decision making body must make the following findings:

1. That the purpose for the additional wall height is to enhance adjacent neighbor privacy and/or to provide for noise attenuation;
2. That the additional wall height is requested by the adjacent neighbor and/or determined by the decision making body to be in the best interest of the adjacent neighbor;
3. That the wall or fence is attractively designed and/or decorated.
4. Decorative wall features may extend no more than six (6) inches above the maximum height of the wall. Wall height shall be measured from the lowest side of the finished grade to the top of the wall.

Parking Requirements:

See Chapter 6 of the Village Master Plan and Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirements by paying a fee.

The details of the In-lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

Other Miscellaneous Requirements:

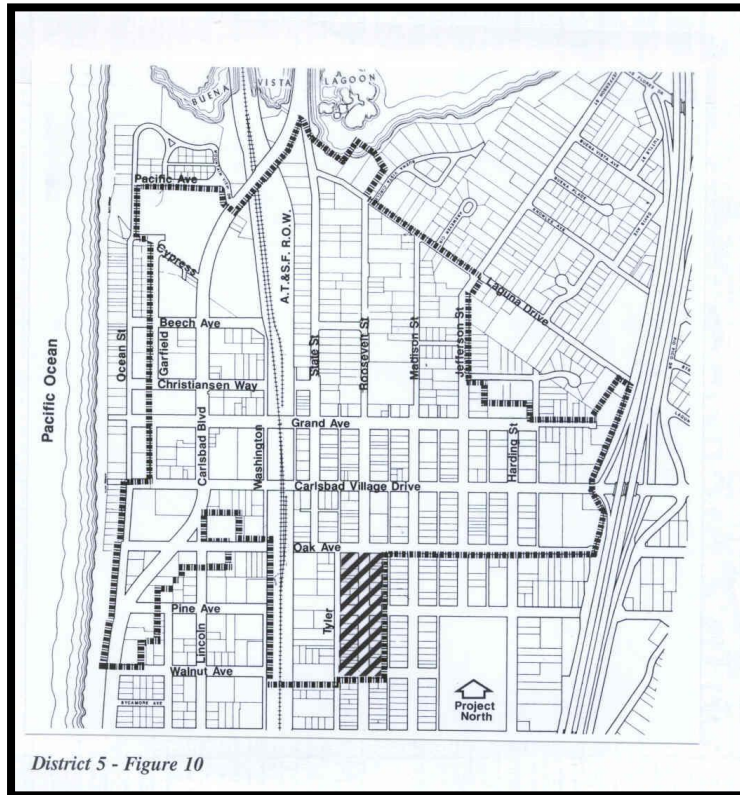
No outdoor storage is permitted within this District. Display of products outdoors must be consistent with standards set forth within this Design Manual or policies established by the City Council.

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

Any lot proposed for non-residential development which adjoins an existing residential lot shall have a solid masonry wall installed along common lot lines. Also any non-residential development constructed shall be designed in a manner which respects the area's residential character.

Temporary building structures and storage containers shall be prohibited, unless used in conjunction with new construction and/or rehabilitation of a building and/or other infrastructure within the Village Area and approved in writing by the Housing & Neighborhood Services Director in advance of use. If a temporary structure is permitted, for storage or other purposes, in conjunction with an approved development project, it will be allowed only until the new development receives approval for occupancy.

Land Use District 5 – Hispanic Mixed-Use Support Area



The boundaries of District 5 are shown in the map provided in Figure 10. District 5 will continue as a mixed-use area related to the District 1 Village Center while also serving the special needs of the adjacent Barrio Neighborhood.

Following are the individual development standards which have been set forth for all projects to be developed within District 5 of the Village Area. Please see the “Universal Standards” section of this Chapter for information on variances and standards modifications, and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

Setbacks:

Front: 5 – 20 feet residential
5-10 feet commercial

Side: 5 – 10 feet

Rear: 5 – 10 feet

No parking in front or rear setbacks; this area is to be used primarily for landscaping purposes only.

Open Space:

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad’s Landscape Manual. Open space may be private or public dedicated to landscaped planters, open space pockets and/or connections, roof gardens/patios, balconies, other patios, and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

Building Coverage:

All projects: 60 to 80%

Building Height:

30 feet maximum.

Roof Pitch:

50% of the total roof structure (per property) must have a 4:12 roof pitch.

Due to the fact that this District is located in the Old Carlsbad Neighborhood, special scrutiny will be given to any requests for exceptions to the height restrictions. In most cases, additional height will be granted only if there are no objections from the surrounding community, businesses and/or residents.

Property Line Walls/Fences:

All property line walls/fences (including combination retaining wall and fences) shall be limited to a maximum of six (6) feet unless a taller wall or fence is approved by the appropriate decision making body. To exceed the wall height of six (6) feet, the decision making body must make the following findings:

1. That the purpose for the additional wall height is to enhance adjacent neighbor privacy and/or to provide for noise attenuation;
2. That the additional wall height is requested by the adjacent neighbor and/or determined by the decision-making body to be in the best interest of the adjacent neighbor;
3. That the wall or fence is attractively designed and/or decorated.
4. Decorative wall features may extend no more than six (6) inches above the maximum height of the wall. Wall heights shall be measured from the lowest side of the finished grade to the top of the wall.

Parking Requirements:

See Chapter 6 of the Village Master Plan and Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

Other Miscellaneous Requirements:

Access to parking will not be allowed from Roosevelt Street unless no other access is available.

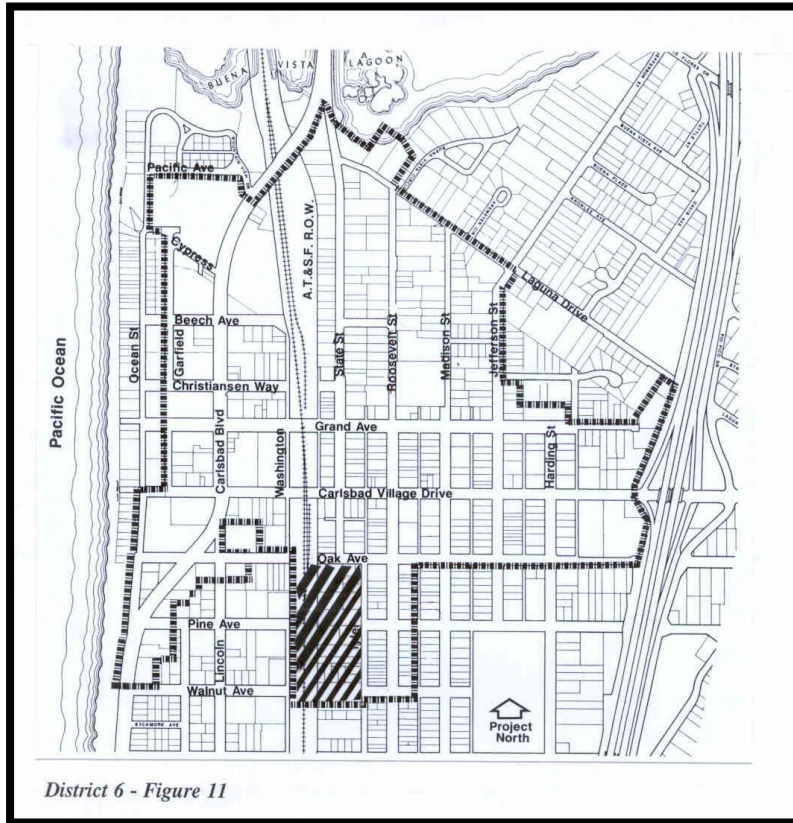
No outdoor storage is permitted within this District. Display of products outdoors must be consistent with standards set forth within this Design Manual or policies established by the City Council.

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

Any lot proposed for non-residential development which adjoins an existing residential lot shall have a solid masonry wall installed along common lot lines. Also any non-residential development constructed in the area shall be designed in a manner which respects the area's transitional or residential character.

Temporary building structures and storage containers shall be prohibited, unless used in conjunction with new construction and/or rehabilitation of a building and/or other infrastructure within the Village Area and approved in writing by the Housing & Neighborhood Services Director in advance of use. If a temporary structure is permitted, for storage or other purposes, in conjunction with an approved development project, it will be allowed only until the new development receives approval for occupancy.

Land Use District 6 – Service Commercial Support Area



District 6 - Figure 11

The boundaries of District 6 are shown in the map provided in Figure 11. District 6 has traditionally functioned as a light industrial area with an emphasis upon automotive towing, repair and detailing uses. Other building services and light industrial activities have also occupied large parcels in the area. Land uses of this type will be allowed to continue in the area with some limitations to better integrate them into the surrounding Village environment. However, as economics begin to play its role in the area, this area may begin to transition into a more commercial retail and business area much different from the industrial land uses. The land use plan within this document allows for the gradual transition of the area into uses which will be more compatible with

the residential character of the Barrio neighborhood.

Following are the individual development standards which have been set forth for all projects to be developed within District 6 of the Village Area. Please see the “Universal Standards” section of this Chapter for information on variances and standards modifications, and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

Setbacks:

Front: 5 – 20 feet

Side: 5 – 10 feet

Rear: 5 – 10 feet

No parking in front setbacks; this area is to be used primarily for landscaping purposes.

Open Space:

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad’s Landscape Manual. Open

space may be private or public dedicated to landscaped planters, open space pockets and/or connections, roof gardens/patios, balconies, other patios, and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

Building Coverage:

All projects: 50 to 80%

Building Height:

35' maximum.

Roof Pitch:

50% of the total roof structure (per property) must have a 5:12 roof pitch.

Property Line Walls/Fences:

All property line walls/fences (including combination retaining wall and fences) shall be limited to a maximum of six (6) feet unless a taller wall or fence is approved by the appropriate decision making body. To exceed the wall height of six (6) feet, the decision making body must make the following findings:

1. That the purpose for the additional wall height is to enhance adjacent neighbor privacy and/or to provide for noise attenuation;
2. That the additional wall height is requested by the adjacent neighbor and/or determined by the decision making body to be in the best interest of the adjacent neighbor;
3. That the wall or fence is attractively designed and/or decorated.
4. Decorated wall features may extend no more than six (6) inches above the maximum height of the wall. Wall height shall be measured from the lowest side of the finished grade to the top of the wall.

Parking Requirements:

See Chapter 6 of the Village Master Plan and Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-lieu Fee Parking Program which means that properties east of the AT&ST Railroad right-of-way within the district may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

Other Miscellaneous Requirements:

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

Use of railroad right-of-way for structures or parking will only be allowed subject to provisions for future public access along the right-of-way, conditions of approval related to future use or a determination by the city that provisions for future public use are not needed.

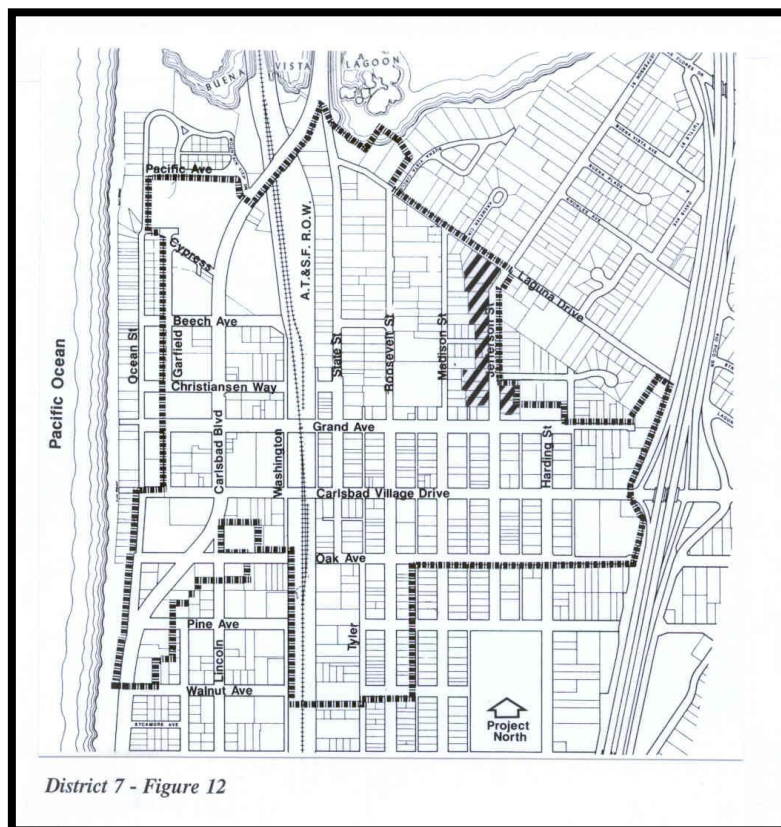
Existing automotive and light industrial uses in District 6 will be allowed to remain. If a land use change is proposed, the new land use must conform with this Village Master Plan and Design Manual.

All city ordinances related to health and safety will be strictly enforced.

Owners of existing uses on Tyler Street will be encouraged to relocate parking areas away from street frontages where possible and to improve the appearance of their properties through landscaping and exterior building improvements.

Temporary building structures and storage containers shall be prohibited, unless used in conjunction with new construction and/or rehabilitation of a building and/or other infrastructure within the Village Area and approved in writing by the Housing & Neighborhood Services Director in advance of use. If a temporary structure is permitted, for storage or other purposes, in conjunction with an approved development project, it will be allowed only until the new development receives approval for occupancy.

Land Use District 7 – Office Support Area



The boundaries of District 7 are shown in the map provided as Figure 12. District 7 accommodates professional and medical offices contained in new structures and converted residences.

Following are the individual development standards which have been set forth for all projects to be developed within District 7 of the Village Area. Please see the “Universal Standards” section of this Chapter for information on variances and standards modifications, and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

Setbacks:

Front: 5 – 20 feet

Side: 5 – 10 feet

Rear: 5 – 10 feet

No parking in front or rear setback, this area is for landscaped purposes only.

Open Space:

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad’s Landscape Manual. Open space may be private or public and may be dedicated to landscaped planters, open space pockets and/or connections, roof gardens/patios, balconies, other patios and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

Building Coverage:

All projects: 60 to 80%

Building Height:

35' maximum.

Roof Pitch:

50% of the total roof structure (per property) must have a 5:12 roof pitch.

Property Line Walls/Fences:

All property line walls/fences (including combination retaining wall and fences) shall be limited to a maximum of six (6) feet unless a taller wall or fence is approved by the appropriate decision making body. To exceed the wall height of six (6) feet, the decision making body must make the following findings:

1. That the purpose for the additional wall height is to enhance adjacent neighbor privacy and/or to provide for noise attenuation;
2. That the additional wall height is requested by the adjacent neighbor and/or determined by the decision making body to be in the best interest of the adjacent neighbor;
3. That the wall or fence is attractively designed and/or decorated.
4. Decorative wall features may extend no more than six (6) inches above the maximum height of the wall. Wall height shall be measured from the lowest side of the finished grade to the top of the wall.

Parking Requirements:

See Chapter 6 of the Village Master Plan and Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

Other Miscellaneous Requirements:

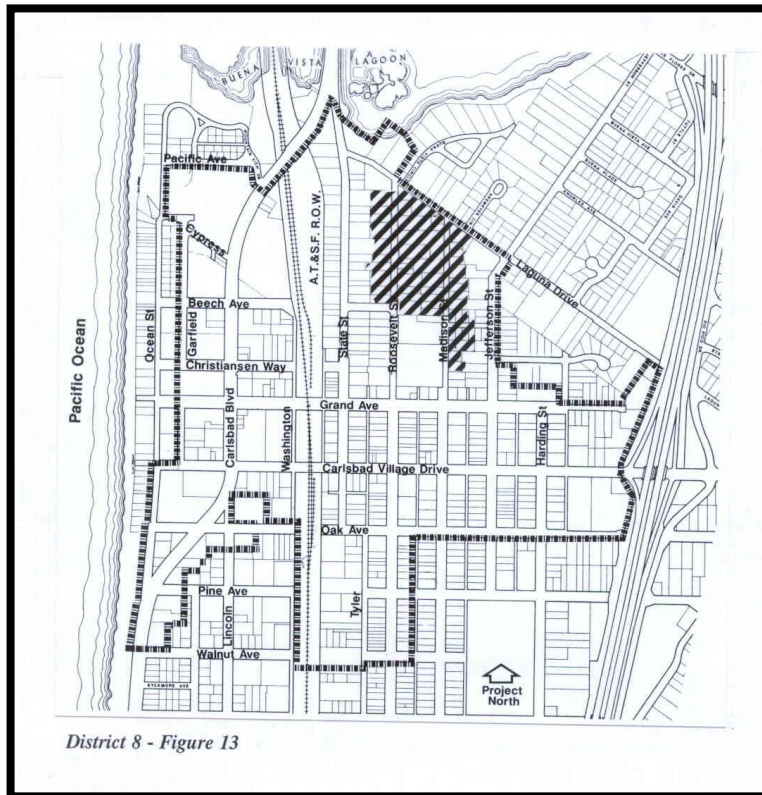
No outdoor storage is permitted within this District. Display of products outdoors must be consistent with standards set forth within this Design Manual or policies established by the City Council.

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

Any lot proposed for non-residential development which adjoins an existing residential lot shall have a solid masonry wall installed along common lot lines. Also any non-residential development constructed shall be designed in a manner which respects the area's residential character.

Temporary building structures and storage containers shall be prohibited, unless used in conjunction with new construction and/or rehabilitation of a building and/or other infrastructure within the Village Area and approved in writing by the Housing & Neighborhood Services Director in advance of use. If a temporary structure is permitted, for storage or other purposes, in conjunction with an approved development project, it will be allowed only until the new development receives approval for occupancy.

Land Use District 8 – Residential Support Area



The boundaries of District 8 are shown in the map provided as Figure 13. District 8 contains predominantly residential uses with some existing professional and medical offices. The area is intended to be a relatively dense urban residential neighborhood with a Village scale and character.

Following are the individual development standards which have been set forth for all projects to be developed within District 8 of the Village Area. Please see the “Universal Standards” section of this Chapter for information on variances and standards modifications, and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

Setbacks:

Front: 5 – 15 feet.

Side: 10% of lot width 5 to 10 feet, street side.

Rear: 5 – 10 feet

Open entry porches may extend into the front setback. Parking is not allowed in front yard setback.

Open Space:

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad’s Landscape Manual. Open space may be private or public dedicated to landscaped planters, open space pockets and/or connections, roof gardens/patios, balconies, other patios and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

Building Coverage:

All projects: 60 to 80%

Building Height:

35' maximum.

Roof Pitch:

50% of the total roof structure (per property) must have a 5:12 roof pitch.

Property Line Walls/Fences:

All property line walls/fences (including combination retaining wall and fences) shall be limited to a maximum of six (6) feet unless a taller wall or fence is approved by the appropriate decision making body. To exceed the wall height of six (6) feet, the decision making body must make the following findings:

1. That the purpose for the additional wall height is to enhance adjacent neighbor privacy and/or to provide for noise attenuation;
2. That the additional wall height is requested by the adjacent neighbor and/or determined by the decision making body to be in the best interest of the adjacent neighbor;
3. That the wall or fence is attractively designed and/or decorated.
4. Decorative wall features may extend no more than six (6) inches above the maximum height of the wall. Wall height shall be measured from the lowest side of the finished grade to the top of the wall.

Parking Requirements:

See Chapter 6 of the Village Master Plan and Design Manual for list of parking requirements by land use.

District is located within Zone 2 of the In-lieu Fee Parking Program which means that properties within the District may be allowed to meet a portion of their on-site parking requirement by paying a fee.

The details of the In-lieu Fee Parking Program option for meeting on-site parking requirements are outlined in Chapter 6 of this Manual.

Other Miscellaneous Requirements:

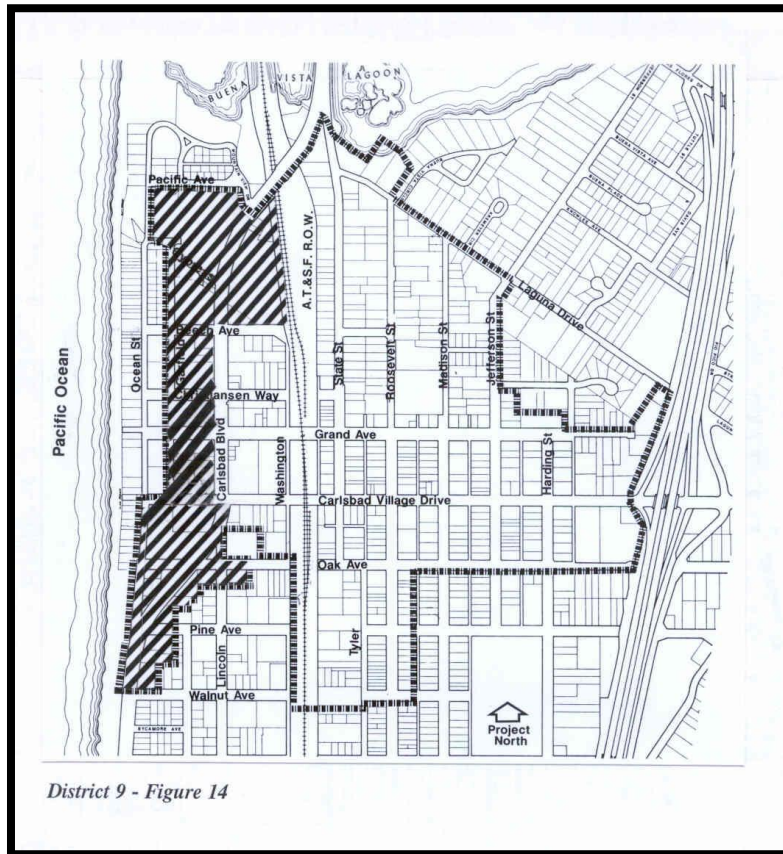
No outdoor storage or display is permitted within this District. Display of products outdoors must be consistent with standards set forth within this Design Manual or policies established by the Housing and Redevelopment Commission.

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

Any lot proposed for non-residential development which adjoins an existing residential lot shall have a solid masonry wall installed along common lot lines. Also any non-residential development constructed shall be designed in a manner which respects the area's residential character.

Temporary building structures and storage containers shall be prohibited, unless used in conjunction with new construction and/or rehabilitation of a building and/or other infrastructure within the Village Area and approved in writing by the Housing & Neighborhood Services Director in advance of use. If a temporary structure is permitted, for storage or other purposes, in conjunction with an approved development project, it will be allowed only until the new development receives approval for occupancy.

Land Use District 9 – Tourism Support Area



District 9 - Figure 14

The boundaries of District 9 are shown in the map provided in Figure 14. District 9 will continue to provide a wide mix of uses with an emphasis upon facilities, goods and services to tourists and regional visitors traveling along the coast. High quality hotels, restaurants and retail shops will be emphasized.

Additional institutional uses such as schools, professional care facilities and churches will be discouraged within this area. Those institutional uses which currently exist will be allowed to remain with legislative approval of a Master Plan for the use and related site(s).

Following are the individual development standards which have been set forth for all projects to be developed within District 9 of the Village Area. Please see the “Universal Standards” section of this

Chapter for information on variances and standards modifications, and criteria to be used in setting the standards for individual projects when a range is set forth for the subject standard.

Setbacks:

Front: 5 – 20 feet.

Side: 5 – 10 feet.

Rear: 5 – 15 feet.

No parking will be allowed in the front setback; this area is to primarily be used for landscaping purposes.

Open Space:

A minimum of 20% of property must be maintained as open space. The open space must be devoted to landscaped pedestrian amenities in accordance with the City of Carlsbad’s Landscape Manual. Open space may be public or private and may be dedicated to landscaped planters, open space pockets and/or connections, roof gardens/patios, balconies, patios and/or outdoor eating areas. No parking spaces or aisles are permitted in the open space.

Building Coverage:

Commercial: 80 to 100%

Mixed Use: 60 to 80%

Building Height:

45' maximum.

Roof Pitch:

50% of the total roof structure (per property) must have a 5:12 roof pitch.

Property Line Walls/Fences:

All property line walls/fences (including combination retaining wall and fences) shall be limited to a maximum of six (6) feet unless a taller wall or fence is approved by the appropriate decision making body. To exceed the wall height of six (6) feet, the decision making body must make the following findings:

1. That the purpose for the additional wall height is to enhance adjacent neighbor privacy and/or to provide for noise attenuation;
2. That the additional wall height is requested by the adjacent neighbor and/or determined by the decision making body to be in the best interest of the adjacent neighbor;
3. That the wall or fence is attractively designed and/or decorated.
4. Decorative wall features may not extend six (6) inches above the maximum height of the wall. Wall height shall be measured from the lowest side of the finished grade to the top of the wall.

Parking Requirements:

See Chapter 6 of the Village Master Plan and Design Manual for list of parking requirements by land use.

Properties within this District will not be allowed to meet a portion of their on-site parking requirements by paying an in-lieu fee until the City/Redevelopment Agency can demonstrate to the satisfaction of the California Coastal Commission that 1) a bonafide fee has been established to implement such a program; 2) specific sites have been identified where parking facilities will be constructed; and 3) detailed criteria and procedures have been established for the annual assessment of parking utilization subject to the completion of a parking study or other technical information. A local coastal program amendment must be approved by the Coastal Commission before the Parking In-lieu Fee Program may be implemented within this District.

Other Miscellaneous Requirements:

No outdoor storage is permitted within the District. Display of products outdoors will be permitted within this District if it is consistent with standards set forth within this Design Manual or policies established by the Housing and Redevelopment Commission.

Existing residential structures converted to commercial purposes must be brought into conformance with Title 18 of the Carlsbad Municipal Code.

Any lot proposed for non-residential development which adjoins an existing residential lot shall have a solid masonry wall installed along common lot lines.

For Army/Navy Academy and Carlsbad-by-the-Sea Retirement Home, a long range master plan must be approved prior to the issuance of any permits for improvements and additions to existing facilities. All future changes must conform to this approved Master Land Use Plan, or as amended by the original approving body.

Temporary building structures and storage containers shall be prohibited, unless used in conjunction with new construction and/or rehabilitation of a building and/or other infrastructure within the Village Area and approved in writing by the Housing & Neighborhood Services Director in advance of use. If a temporary structure is permitted, for storage or other purposes, in conjunction with an approved development project, it will be allowed only until the new development receives approval for occupancy.